

Message Text

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TO AMEMBASSY RABAT PRIORITY

C O N F I D E N T I A L STATE 148702

E.O. 11652: GDS

TAGS: SHUM, MO, PINT

SUBJECT:HUMAN RIGHTS: COUNTRY EVALUATION PLAN FOR MOROCCO

REF: A. STATE 133681 B. RABAT 3414

1. FOLLOWING IS DRAFT COUNTRY EVALUATION PLAN FOR MOR-
OCCO SCHEDULED FOR SUBMISSION NLT JULY 1. DRAFT
INCLUDES SUBSTANTIAL CONTRIBUTION FROM RABAT POLOFF CHARLES
DARIS DURING HIS JUNE 13-17 CONSULTATIONS HERE. REQUEST
POST REVIEW AND COMMENT BY JUNE 29.

2. A. CONDITION OF HUMAN RIGHTS IN MOROCCO: ALTHOUGH
DIVERGENCIES FROM UN HUMAN RIGHTS PRECEPTS FOR THE
INTEGRITY OF THE PERSON PERSIST IN MOROCCO AND CAN ONLY BE
EXPECTED TO IMPROVE MARKEDLY WITH SUBSTANTIAL CULTURAL
CHANGE, MOROCCO'S GENERAL RECORD ON HUMAN RIGHTS SHOWS
SEVERAL IMPORTANT STEPS FORWARD IN THE PAST YEAR. OPEN
TRIALS HAVE BEEN HELD FOR THE MAJORITY OF THE POLITICAL
PRISONERS WHO HAVE BEEN DETAINED SINCE THE EARLY 1970'S.
LOCAL AND NATIONAL ELECTIONS, LONG IN ABEYANCE PENDING POLL
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TICAL STABILIZATION, HAVE BEEN SUCCESSFULLY HELD, AND

THE NEW NATIONAL ASSEMBLY IS EXPECTED TO CONVENE SHORTLY.
DOMESTIC PRESS CENSORSHIP HAS BEEN LIFTED, AND OPPOSITION
PARTY LEADERS HAVE BEEN APPOINTED TO THE CABINET. ON THE
OTHER HAND, INTERNAL SECURITY CONSIDERATIONS AND THE
SAHARA HOSTILITIES CONTINUE TO DICTATE STRICT AND OCCAS-
SIONALLY HARSH LAW ENFORCEMENT MEASURES.

3. RESPECT FOR THE INTEGRITY OF THE PERSON INCLUDING

FREEDOM FROM:

A. TORTURE: PRISONERS, PARTICULARLY THOSE ACCUSED OF PARTICIPATING IN THE COUP ATTEMPTS, HAVE ALLEGED IN PUBLIC TRIALS THAT THEY WERE TORTURED AS AN INTERROGATION TECHNIQUE. OTHER REPORTS STATE THAT TORTURE WAS COMMONLY USED IN THE EARLIER STAGES OF DETENTION. WHILE IT IS PROBABLE THAT TORTURE HAS BEEN USED, THERE IS NO DIRECT INDICATION OF THE FREQUENCY WITH WHICH IT IS USED.

B. CRUEL, INHUMAN, OR DEGRADING PUNISHMENT: APART FROM A RECENT AUTHORITATIVE REPORT THAT A CITY COUNCILMAN OF AN OPPOSITION PARTY WAS BEATEN BY THE RABAT CHIEF OF POLICE DURING DETENTION, IN THE PRESENCE OF OTHERS, WE HAVE NO INDICATIONS THAT THIS TYPE OF PUNISHMENT HAS BEEN INFLICTED. THE GOVERNMENT DOES NOT RESORT TO EXILE AS A PUNISHMENT BUT SOME POLITICAL DISSIDENTS ARE IN SELF-IMPOSED EXILE.

C. ARBITRARY ARREST OR IMPRISONMENT: SEVERAL HUNDRED POLITICAL PRISONERS WERE HELD FOR PERIODS OF 5-6 YEARS UNTIL LATE 1976-EARLY 1977. AT THAT TIME THE GOM HELD CONFIDENTIAL

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A SERIES OF TRIALS WHICH CLEARED THE DOCKETS OF MANY OF THE PERSONS IT WAS HOLDING WITHOUT TRIAL, BUT SOME, PERHAPS AS MANY AS 100, ARE STILL BEING HELD. A NUMBER OF LEFTISTS (AT LEAST 30 BY ONE REPORT) WERE REPORTEDLY ARRESTED IN CONNECTION WITH A 1977 INCIDENT INVOLVING EXPULSION OF SEVEN FRENCH COOPERANTS ACCUSED OF CLANDESTINE SUBVERSIVE ACTIVITIES, AND THE KING REPORTEDLY TOLD THE FRENCH AMBASSADOR THAT HE HAD NO INTENTION OF HOLDING ANOTHER SERIES OF POLITICAL TRIALS, IMPLYING THAT THESE DISSIDENTS MAY ALSO BE HELD FOR SOME TIME TO COME. TEMPORARY DETENTION HAS ALSO BEEN USED AS AN INTIMIDATION TACTIC TO KEEP OPPOSITION ELEMENTS IN LINE DURING PERIODS OF STRESS. THE MOST RECENT EXAMPLE OF THIS WAS DURING MOROCCO'S ELECTIONS IN EARLY JUNE. MOST, IF NOT ALL, OF THOSE DETAINED WERE RELEASED SHORTLY THEREAFTER.

D. DENIAL OF FAIR PUBLIC TRIAL: ARTICLE 11: SOME PRISONERS ARRESTED FOR PARTICIPATION IN THE 1971 AND 1972 COUP ATTEMPTS CLAIM THEY WERE DENIED FAIR TRIALS. SOME OTHERS WERE SUMMARILY EXECUTED AT THE TIME. IT SEEMS LIKELY THAT COUP PRISONERS WHO WERE CAUGHT IN THE ACT WERE GENERALLY REGARDED AS GUILTY PRIOR TO THEIR TRIAL, AND THEIR VERDICTS MAY HAVE BEEN PREDETERMINED. ON THE OTHER HAND, RECENT TRIALS APPEAR TO HAVE BEEN CONDUCTED FAIRLY AND OPENLY. THE FRENCH PRESS QUOTED A REPRESENTATIVE OF AMNESTY INTERNATIONAL WHO ATTENDED TRIALS IN 1976 AS EXPRESSING HIS SATISFACTION THAT THEY HAD

BEEN CONDUCTED FAIRLY. APART FROM CONTROVERSIAL CASES INVOLVING PERSONS ACCUSED OF DIRECT ACTION AGAINST THE SECURITY OF THE STATE, THERE DOES NOT APPEAR TO BE ANY DISSATISFACTION ABOUT DUE PROCESS UNDER MOROCCAN LAW.

E. INVASION OF THE HOME: THERE ARE NO KNOWN INCIDENTS OF UNWARRANTED INTRUSIONS INTO PRIVATE HOMES BY OFFICIALS.

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4. RESPECT FOR CIVIL AND POLITICAL LIBERTIES:

A. FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY: ALTHOUGH SEVERAL FOREIGN PUBLICATIONS (INCLUDING "LE MONDE" AND "NOUVEL OBSERVATEUR") ARE TEMPORARILY BANNED BECAUSE OF DEFAMATORY ARTICLES, CENSORSHIP OF THE DOMESTIC PRESS WAS LIFTED IN MARCH 1977. EVEN BEFORE THIS, CRITICISM OF ADMINISTRATION, SOCIAL CONDITIONS, AND ALL INSTITUTIONS EXCEPT THE MONARCHY WAS COMMONPLACE. MOROCCO IS UNUSUALLY LIBERAL IN ITS WILLINGNESS TO TOLERATE VARIOUS POLITICAL AND RELIGIOUS TENDENCIES. THERE ARE 8-10 POLITICAL OPPOSITION PARTIES RANGING FROM AN ILLEGAL COMMUNIST PARTY TO VERY PRO-PALACE, BERBER-BASED GROUPS. LIKEWISE, MOROCCO HAS A UNIQUE HISTORY WITH RESPECT TO RELIGIOUS TOLERANCE. LARGE NUMBERS OF MOROCCAN JEWS VOLUNTARILY LEFT THE COUNTRY AFTER THE 1967 WAR, BUT AT LEAST 20,000 REMAIN IN THE COUNTRY, AND THE GOVERNMENT IS URGING OTHERS TO RETURN. AS TO FREEDOM OF ASSEMBLY, THE RECORD IS SOMEWHAT MORE SPOTTED, PARTICULARLY DURING THE RECENT ELECTORAL CAMPAIGN, DURING WHICH SOME OPPOSITION PARTIES WERE REFUSED PERMISSION FOR GATHERINGS. IN GENERAL, SUCH REFUSALS HAVE BEEN RELATIVELY RARE, AND THE COUNTRY'S DIVERSE OPPOSITION GROUPS HAVE USUALLY BEEN ABLE TO GATHER WHEN AND WHERE THEY WISH.

B. FREEDOM OF MOVEMENT: FREEDOM OF MOVEMENT IS QUITE LIBERAL THROUGHOUT MOROCCO. FOREIGN TRAVEL IS CONTROLLED

TO SOME EXTENT, BUT ASSUMING THE APPLICANT HAS SUFFICIENT FINANCIAL RESOURCES, HE IS USUALLY ABLE TO OBTAIN A PASSPORT. PASSPORTS ARE RETAINED BY THE HOLDER ONCE THEY ARE ISSUED. AS TO EMIGRATION, THERE DO NOT APPEAR TO BE ANY UNUSUAL RESTRICTIONS.

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C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS: BY THIRD WORLD STANDARDS, MOROCCO'S LIVELY POLITICAL ENVIRONMENT PROVIDES CONSIDERABLE OPPORTUNITY FOR PARTICIPATION OF DIVERSE GROUPS IN THE POLITICAL PROCESS. BECAUSE OF THE UNCERTAIN POLITICAL SITUATION AFTER THE

COUP ATTEMPTS AGAINST HIM, KING HASSAN DEFERRED THE ELECTORAL PROCESS CALLED FOR IN THE MOST RECENT (1972) CONSTITUTION UNTIL 1976 AND EXERCISED HIS PREROGATIVE TO RULE BY DECREE DURING AN EMERGENCY. EARLY THIS YEAR, AS NATIONAL ELECTIONS FOR A UNICAMERAL LEGISLATURE APPROACHED THE KING APPOINTED LEADERS OF THE MAJOR OPPOSITION PARTIES AS CABINET MINISTERS WITHOUT PORTFOLIO. THE ELECTIONS THEMSELVES WERE HELD IN JUNE. DESPITE A CONSIDERABLE AMOUNT OF RIGGING AND HEAVY-HANDED VOTER PURSUASION BY THE GOVERNMENT TO ASSURE A SUPPORTIVE MAJORITY (191 OUT OF 264 DEPUTIES), MOST OPPOSITION ELEMENTS APPARENTLY INTEND TO CONTINUE TO WORK WITHIN THE SYSTEM TO PROMOTE EVOLUTION TOWARDS TRUE POLITICAL PLURALISM.

5. GOVERNMENT PERFORMANCE IN MEETING BASIC HUMAN NEEDS:

A. GOVERNMENT POLICIES: AID PROJECTIONS OF INCREASED U.S. BILATERAL ASSISTANCE OVER THE NEXT FIVE YEARS ARE BASED ON THE JUDGEMENT THAT THE MOROCCAN GOVERNMENT IS MAKING CONSCIENTIOUS EFFORTS TO IMPROVE CONDITIONS FOR THE RURAL POOR AND OTHER DISADVANTAGED ELEMENTS.

B. CORRUPTION: CORRUPTION IS NOT ALIEN TO MOROCCO BUT BY THIRD WORLD STANDARDS IT APPEARS TO BE RELATIVELY LOW. THE FACT THAT THE NATION'S RESOURCES ARE LARGELY CONTROLLED BY A RELATIVELY SMALL ELITE IS DUE MORE TO THE ORIENTATION OF THE SYSTEM THAN TO CORRUPT PRACTICES WITHIN IT.

6. PROCLAIMED GOVERNMENT POLICIES: MOROCCAN LEADERS
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CONDUCT THEIR ACTIVITIES SCRUPULOUSLY ON A LEGAL AND CONSTITUTIONAL BASIS AND INVOKE HUMAN RIGHTS CONSIDERATIONS IN THEIR PUBLIC DECLARATIONS. IN SECURITY MATTERS, HOWEVER, HUMAN RIGHTS CONSIDERATIONS CAN BE EXPECTED TO GIVE WAY TO STRICT, PERHAPS HARSH ENFORCEMENT OF THE LAW. KING HASSAN SPEAKS FREQUENTLY TO THE MOROCCAN

PUBLIC TO EXPLAIN GOVERNMENT POLICIES. GIVEN CURRENT HOSTILITIES IN THE WESTERN SAHARA, THE RECORD OF TWO COUP ATTEMPTS IN 1971 AND 1972, AND THE WIDESPREAD POPULAR SUPPORT FOR THE MONARCHY AND THE KING, WE BELIEVE THAT MOROCCAN GOVERNMENT STATEMENTS ARE CONSIDERED CREDIBLE BY THE PUBLIC.

7. OUTSIDE INVESTIGATION: THERE ARE NO INCIDENTS OF GOM REFUSAL TO PERMIT OUTSIDE GROUPS TO ENTER THE COUNTRY FOR INVESTIGATING ALLEGED VIOLATIONS. INDEED, AMNESTY INTERNATIONAL AND OTHER CIVIL RIGHTS OR HUMAN RIGHTS GROUPS HAD OBSERVERS DURING THE 1976 POLITICAL PRISONER TRIALS.

ANALYSIS AND RECOMMENDATIONS

8. THE U.S. HAS QUIETLY ENCOURAGED THE LIBERALIZATION OF MOROCCO'S POLITICAL PROCESS OVER THE YEARS, BOTH IN CONVERSATIONS WITH OFFICIALS AND IN ITS OPEN AND CONTINUING CONTACTS WITH OPPOSITION POLITICAL LEADERS. WE HAVE ALSO SENT MEMBERS OF THESE PARTIES TO THE U.S. ON LEADER GRANTS. OF LATE, PRESS RELEASES ON HUMAN RIGHTS DECLARATIONS BY U.S. LEADERS HAVE BEEN SENT ON A REGULAR BASIS TO TOP GOM OFFICIALS. WE HAVE NO MEANS OF MEASURING THE EXTENT TO WHICH THIS U.S. APPROACH HAS CONTRIBUTED TO THE POSITIVE STEPS TAKEN UNDER KING HASSAN'S

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DIRECTION IN THE PAST YEAR, NOR CAN WE GAUGE WITH ANY CERTAINTY WHETHER THESE STEPS REPRESENT PERMANENT POLITICAL EVOLUTION OR PRIMARILY PRE-ELECTION MANEUVERING TO INFLUENCE VOTERS. ONCE CALLED INTO SESSION, WE CAN EXPECT THE NEW PARLIAMENT TO PROVIDE SOME IMPETUS TOWARDS FURTHER LIBERALIZATION. MORE CAREFUL ARTICULATION BY THE GOVERNMENT OF MEASURES TAKEN FOR THE PUBLIC GOOD WILL BE REQUIRED FOR FLOOR DEBATE, AND THE KING'S OWN PUBLIC PRESTIGE WILL BE LINKED WITH THE INSTITUTIONS CREATED UNDER HIS AEGIS.

9. IN THIS EVOLVING SITUATION, THE MOST PRUDENT AND EFFECTIVE U.S. POLICY WILL BE TO CONTINUE ENCOURAGING THE EVOLUTION OF MOROCCO'S CONSTITUTIONAL INSTITUTIONS. IN ADDITION, THE U.S. SHOULD CONTINUE TO TARGET ITS ECONOMIC ASSISTANCE IN AREAS WHICH WILL DO THE MOST FOR MEETING THE PROBLEMS OF THE COUNTRY'S DEPRIVED, PARTICULARLY IN THE AREA OF POPULATION CONTROL. WE SHOULD GO ON DRAWING STATEMENTS BY U.S. LEADERS ON HUMAN RIGHTS TO THE ATTENTION OF APPROPRIATE MOROCCAN OFFICIALS. A MORE

ACTIVIST POLICY INVOLVING EXPLICIT SANCTIONS FOR MOROCCO'S RELATIVELY FEW HUMAN RIGHTS SHORTCOMINGS WOULD, IN OUR VIEW, BE TOTALLY COUNTERPRODUCTIVE. APART FROM OUR AID PROGRAM, OUR ECONOMIC LEVERAGE IS LIMITED. OUR MODEST MILITARY ASSISTANCE PROGRAM IS DICTATED AS MUCH BY SELF-INTEREST AS IT IS BY MOROCCO'S DESIRE TO MODERNIZE ITS ARMED FORCES. MOREOVER, WE COULD EXPECT LITTLE INTERNATIONAL SUPPORT. WESTERN EUROPEANS, AND ESPECIALLY FRANCE, TO WHICH MOROCCO HAS SPECIAL AFFINITY, SHARE OUR INTEREST IN POLITICAL LIBERALIZATION IN MOROCCO, BUT BELIEVE THAT MOROCCO'S AUTHORITARIAN TRADITIONS WILL ONLY EVOLVE SLOWLY, AND THAT STRONG AND CONCERTED ATTEMPTS FROM OUTSIDE MOROCCO TO CATALYZE THE PROCESS COULD AT BEST PRODUCE A COUNTERREACTION, AT WORST PRECIPITATE INSTABILITY THAT COULD TOPPLE HASSAN AND LEAD TO AN

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UNFRIENDLY DICTATORSHIP OF THE LEFT, WITHOUT ANY HUMAN RIGHTS IMPROVEMENTS.

10. IF THE U.S. MAINTAINS ITS PRESENT POLICY OF QUIET PERSUASION, WE ANTICIPATE THAT GOM OFFICIALS WILL REACT POSITIVELY, IF NOT ENTHUSIASTICALLY, TO OUR INITIATIVES. OPPOSITION LEADERS HAVE ALREADY PRAISED THE ADMINISTRATION'S POLICY IN THIS RESPECT, AS HAVE A NUMBER OF PRIVATE AND INTELLECTUAL GROUPS, AND WE EXPECT THAT THERE WOULD BE STEADY, IF MODEST, IMPROVEMENT OF THE HUMAN RIGHTS PICTURE IN MOROCCO, BARRING SUCH OVERWEENING SECURITY CONCERNS AS DIRECT HOSTILITIES BETWEEN MOROCCO AND ALGERIA OR INTERNAL UPRISINGS.

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